
TOWN OF SOUTHBOROUGH

MASSACHUSETTS



BY-LAWS

ADOPTED FEBRUARY THE SEVENTH

1914

Section 2.—No owner or person having charge of any horse, cow, swine, sheep, goat, or other grazing animal, shall permit the same to pasture in any street or way within the Town, either with or without a keeper, under a penalty of not less than one dollar nor more than five dollars for each offence. And it shall be the special duty of Field Drivers of the Town to enforce this by-law.

Section 3.—No person shall engage in buying or collecting junk or old metal or second-hand articles from place to place within the Town unless he is duly licensed therefor by the Board of Selectmen.

ARTICLE XII.—*Repeal.*

Section 1.—These by-laws and the repeal of all by-laws heretofore in force shall not affect any act done, any right accrued, any penalty or liability incurred, or any suit, prosecution, or proceeding pending at the time they take effect.

Section 2.—All by-laws heretofore in force are hereby repealed and these by-laws shall become effective when the latter are approved and published as required by statute.

Accepted and adopted February 7, 1914.

CHARLES H. NEWTON.

Town Clerk of Southborough

BOSTON, February 17, 1914.

The foregoing by-laws are hereby approved.

THOMAS J. BOYNTON,

Attorney General

Section 3.—The Highway Surveyor shall furnish an annual report in detail of the work performed in the Street Department, and of his recommendations for the ensuing year, to be printed in the Annual Town Report.

ARTICLE X.—Care of Burial Grounds and Lots.

Section 1.—The Town will accept and forever hold in trust any money or securities which may hereafter be deposited with the Town Treasurer for the perpetual preservation, care, improvement, or embellishment of any public burial place, or any lots or graves therein, agreeable to the provisions of the Statutes of the Commonwealth.

Section 2.—The Town Treasurer is authorized to enter into agreement in behalf of the Town with the holders of burial rights in any lot in the cemeteries of the Town to keep forever such lot, and the structures and grass thereon, in good and neat condition, so far as the same can be done by an expenditure not exceeding four per cent. (4%) per annum on any sum of money, or equal to the income from any securities, which such holder may have deposited with the Town Treasurer for said purpose.

Section 3.—Money and securities received under the provisions of this Article shall not be mingled with other money or securities of the Town, but shall be kept and invested separately as a Cemetery Fund, and except when otherwise specifically provided in the terms of the gift the income only shall be used.

ARTICLE XI. — Police Regulations.

Section 1.—No person shall conduct himself in an indecent and disorderly manner, nor use profane, indecent, obscene or insulting language in any public way or place, or near any dwelling house; nor commit any wanton or wilful act on or about the premises of any person, with intent to annoy or disturb any inhabitant.

men. The report shall be printed and distributed with the Town Report prior to the Annual Town Meeting.

Section 4.—Any board, standing Committee, or officer of the Town, or any person or persons intending to ask an appropriation at any meeting of the Town, other than the regular annual appropriations, shall file a written notice in the office of the Selectmen of such intention, at least fourteen (14) days before such meeting, stating the object and sum of the appropriation intended to be asked. The Selectmen shall thereupon record such notice and inform the Advisory Committee thereof. It shall thereupon be the duty of the Advisory Committee to examine into the subject, and be prepared to inform the Town thereon. Provided that an appropriation may be asked, without such notice, at any meeting of the Town, but in the absence of such previous notice, the subject shall not be acted upon except at an adjournment of said meeting, or at another meeting, not less than one (1) week later in either case; and during said interim the Advisory Committee shall consider said proposed appropriation, and make recommendations in relation thereto at such adjourned or other meeting.

ARTICLE IX. — *Highway Surveyor.*

Section 1.—The Highway Surveyor shall keep an accurate account of all money expended and all work done upon the public ways of the Town, and a daily record of the number of men and teams employed, and the extent and nature of the work done, and the amount expended on each street or way, and also the time spent in doing such work.

Section 2.—The Highway Surveyor shall keep a payroll of the employees of the Street Department, and of the owners of teams employed theron, and a detailed account of all parties furnishing materials therefor; the time for which payment is to be made; the rate of wages, and the amount and cost of materials furnished.

be open to the inspection of the Committee and of any person employed by it. It may appoint Sub Committee and delegate to them such of its powers as it deems expedient.

Section 3.—The various Town officers, boards, and committees charged with the expenditure of the Town's money are each directed annually to prepare detailed estimates of the amounts necessary to carry on the Town's business intrusted to them for the ensuing year, with explanatory statements as to any changes from the amount appropriated for the same purpose in the preceding year. They shall also prepare estimates of any income which may be received by the Town during the ensuing year in connection with the Town's business or property in their care. The Selectmen shall include in their estimates the salaries of all officers elected directly by the Town and all other items not otherwise provided for, and the salaries of all other persons shall be included in the estimates of the officers, boards or committees appointing them. The Treasurer shall include in his estimates the amounts required for the payment of interest on the Town debt, and for the payment of such portions of the Town debt as may become due during the succeeding year. Said estimates and explanations shall be filed with the Secretary of the Advisory Committee on or before the fifteenth day of January, and he shall forthwith compile the same in tabulated form and add thereto two columns, one giving the amounts appropriated and the other the amounts expended in the preceding year, and shall furnish a copy to each member of the Advisory Committee. Said Committee shall at once consider the estimates and add another column giving the amounts which in their opinion should be appropriated for the ensuing year, and may add thereto such explanations and suggestions in relation to the proposed appropriations as they deem expedient and report the same to the Select-

officers elected by ballot. Candidates for this Committee are to be nominated at the annual caucus in the same manner as other Town officers. At the Annual Town Meeting of 1914 there shall be elected by ballot two members of the said Committee for a term of three (3) years, two members for a term of two (2) years, and two (2) members for a term of one (1) year, the terms of said members to expire on the first Monday in March in the years 1917, 1916, and 1915, respectively. Annually thereafter there shall be elected by ballot at the Annual Town Meeting in March two members of the said Committee to serve for a term of three (3) years. Any member of the said Committee who shall be elected to any other town office shall forthwith upon his qualification in such office, and any member who shall remove from the Town shall upon such removal, cease to be a member of said Committee. Said Committee shall choose from its number a Chairman and a Secretary and have power to fill vacancies in its membership.

Section 2.—It shall be the duty of this Committee to consider all matters involving expenditures of money, creation of debt or disposition of Town property included within the articles of any warrant for a Town Meeting hereafter issued, and it shall be the duty of the Selectmen after drawing a town warrant containing any such articles, to transmit immediately a copy of the same to the Secretary of the Advisory Committee, and the Committee shall, after due consideration of the subject matter in said articles, report thereon, in print or otherwise, such information and recommendations as it shall deem best. All recommendations of the Committee made to the Town shall be recommendations of a majority of the entire Committee, but this shall not be construed to prevent recommendations by a minority.

The Advisory Committee shall have authority at any time to investigate the books, accounts, and management of any Department of the Town, and the books and accounts of all Departments and officers of the Town shall

penditures of the Town for the past fiscal year, giving the amount of each specific appropriation, and the amount of the expenditures therefrom; the receipts from each source of income; the change, if any, in the town debt; and a list of all debts incurred and not paid up to and including December 31st of each year, showing to whom due, for what due, and the amounts. Said statements shall be arranged, as far as practicable, to conform to the schedules of the Division of Municipal Statistics of the Bureau of Statistics of the Commonwealth.

Section 5.—The report shall also specifically state the objects for which the debt of the Town may have been increased during the preceding year, and the votes under which such increase was made; shall give a classified statement of the indebtedness of the Town and the objects for which it was incurred; and shall include:

1st. A list of all notes issued during the year and the purposes for which the money was borrowed, giving the dates, amount, term, rate of interest, time of maturity, the premium, if any, received thereon, and the names of the parties of whom the funds were borrowed.

2nd. A list of all notes paid during the year, and a list of all outstanding notes, with the dates on which they will mature.

3rd. A statement of the amount of money received by the Town from other sources than taxation during the preceding year.

4th. A list of all insurance policies held by the Town, which list shall include a statement of the property covered, the names of the companies, and the amount of each policy.

ARTICLE VIII.—*Advisory Committee.*

Section 1.—There shall be an Advisory Committee consisting of six citizens of the Town, other than Town

Town a copy of his record of all Town meetings that have been held during the preceding year.

ARTICLE VI. — *Assessors.*

Section 1.—Every third valuation of estates made by the Assessors or an abstract thereof after the year 1912 shall, with a list of poll-tax payers, be printed and mailed to all tax payers in the town.

ARTICLE VII. — *Town Accountant.*

Section 1.—The Selectmen shall appoint a competent Accountant who shall perform all the duties and possess all the powers prescribed in Chapter 624 of the Acts of 1910, as amended by Chapter 207 of the Acts of 1911, or any amendments thereto.

Section 2.—The Town Accountant shall be sworn to the faithful performance of his duties, shall hold no other town office involving the receipt or disbursement of money, shall receive such salary as the Town shall vote, and shall hold office for three (3) years and until his successor has been appointed and has qualified.

Section 3.—The Town Accountant shall, immediately after the first day of each month, make to the Selectmen a detailed report of the amounts of the several appropriations, and all drafts made on account of each appropriation, and of all receipts, during the preceding month, and a summarized report of the same since the beginning of the fiscal year, and of the unexpended balances of the several appropriations, and shall send a copy of his summarized statement of January 1 to the Secretary of the Advisory Committee not later than January fifteenth. He shall also prepare such other financial statements as may from time to time be required by the Selectmen.

Section 4.—The Town Accountant shall in his annual report give a detailed statement of all receipts and ex-

ARTICLE V. — *Town Clerk.*

Section 1.—It shall be the duty of the Town Clerk to see that every conveyance to the Town of any interest in land is properly recorded in the Registry of Deeds.

Section 2.—The Town Clerk shall furnish all boards, committees, and officers with copies of all votes affecting them or their duties.

Section 3.—Whenever any report of any board or committee is presented to the Town, and its recommendations are adopted, the Clerk shall cause to be entered upon the regular record of the meeting such portions of the report only, if any, as may be necessary for the understanding of the action taken by the Town, and he shall cause the report to be entered in full in a book provided for that purpose which shall be called the Book of Reports. But Reports in print need not be so entered but shall be filed in the Clerk's office. The Book of Reports and printed reports filed shall be duly indexed. Reports shall be numbered for each municipal year in the order of their presentation, and a marginal reference shall be made to the date of the meeting at which the report was presented. And the regular record of the meeting shall also make reference to the number of the report as entered in the Book of Reports or file.

Section 4.—The Town Clerk shall, as soon as practicable after any election has been held by the Town, or any appointment of committees or other officials has been made by the Town or by the Moderator, in addition to the notices he is directed to give to officers who are required to take an oath of office, also issue a written or printed notice to all persons who have been elected to any other office or chosen to serve on any committee, stating the office to which such person has been elected, or the duties which such committee was chosen to perform.

Section 5.—The Town Clerk shall furnish the Selectmen for publication in the annual printed report of the

Section 7.—Funds given to the Town, in trust or otherwise, for specific purposes shall not be mingled with other funds of the Town, but shall be kept and invested separately, and used only in accordance with the terms of the gift.

ARTICLE IV. — *Selectmen.*

Section 1.—The Selectmen may appear either personally or by counsel before any committee of the Legislature, any State or County official, any board or commission, to protect the interests of the Town, but are not authorized by this by-law to commit the Town to any course of action.

Section 2.—The Selectmen shall cause the appearance and answer of the Town to be entered and made in all suits brought against the Town at law or in equity, and the interests of the Town to be defended therein. They shall consider all claims made against the Town for damages, or breach of contract, and may, with the advice of counsel, settle the same, provided that in no case shall a settlement be so made by a payment of more than five hundred dollars without authority from the Town.

Section 3.—All conveyances under seal which may hereafter be executed by the Town, pursuant to a vote of the Town or otherwise, shall be sealed with the Town seal and subscribed by a majority of the Board of Selectmen for the time being, unless otherwise directed by the Town.

Section 4.—The Selectmen shall, in their annual report, unless such information is contained in other reports to be published in the Annual Town Report, state in detail what action they have taken in the year preceding. They shall have the printed annual reports of the Town ready for distribution not later than February twentieth of each year, and shall have a copy thereof mailed to every registered voter and tax payer in the town.

ARTICLE III. — *Financial.*

Section 1.—The fiscal year shall begin with the first day of January in each year, and shall end with the last day of December, and all appropriations of money shall be made for the then current fiscal year.

Section 2.—No money shall be paid from the Treasury except for State and County taxes, for notes and interest thereon, and for costs in criminal cases, without a warrant or order therefor signed by a majority of the Selectmen.

Section 3.—No warrant shall be drawn upon the Treasurer and no payment shall be made by him or by any other disbursing officer of the Town (except as hereinafter provided) unless there is sufficient appropriation to pay the same, except for sums by law payable to the Commonwealth, or County, for final judgments of courts, bonds, notes, and script of the Town, and interest thereon, and for other payments required by law.

Section 4.—The Treasurer shall add all receipts of money during the financial year to the several appropriations to which they would appear to belong, and the amounts so added may be expended by the Selectmen or other disbursing officers having authority to draw orders upon said appropriations, if they shall deem it necessary.

Section 5.—Whenever the liabilities incurred against any appropriation shall equal the amount thereof, and the receipts belonging thereto, no further liability against such appropriation shall be incurred until the Town makes provision for the payment of the same at a duly-called meeting.

Section 6.—Whenever the account of an appropriation made for any purpose, other than for a special purpose for which the work has not been completed, shows at the end of the fiscal year a balance unexpended, such balance shall revert to the Treasury as unappropriated funds.

Section 4.—At the time appointed the Town Clerk shall call the meeting to order, read the warrant, and preside until a Moderator is chosen.

Section 5.—It shall be the duty of the Moderator to preserve order in the town meeting in all its proceedings, and this without question, debate, or delay in all cases in which a breach of order or departure from the rules is manifest.

Section 6.—The Moderator, while occupying the chair, shall not participate in any discussion before the meeting.

Section 7.—When called to order by the Moderator, the person speaking shall sit down, and remain seated until the point of order is decided, and, if the point of order be decided not well taken, shall immediately be given the floor.

Section 8.—Articles in the Warrant shall be acted upon in their order unless otherwise ordered by a vote of the meeting.

Section 9.—No motion to dissolve a town meeting shall be in order until every article in the warrant therefor has been duly considered and acted upon.

Section 10.—The annual town meeting for the election of town officers shall be held on the first Monday of March in each year.

ARTICLE II. — *Duties of Town Officers.*

Section 1.—The reports of all boards, committees, or officers, which are to be published in the printed annual report of the Town, shall be delivered to the Selectmen as soon after the first day of January as possible, but not later than January fifteenth.

Section 2.—The Selectmen, Town Clerk, Town Treasurer, and the Collector of Taxes, shall cause to be posted in some conspicuous place at the Town Hall a notice of the hours during which their respective offices will be open.

B Y - L A W S
OF THE
TOWN OF SOUTHBOROUGH.

ARTICLE I — *Town Meetings.*

Section 1.—Notice of every town meeting shall be given by posting attested copies of the Warrant for the meeting at the Town Hall, Depots, Post Offices, and three (3) other public and conspicuous places in the Town, seven (7) days at least before the day appointed for said meeting, and publication in a newspaper, if any be published in the town.

Section 2.—Notice of every adjourned town meeting shall be posted by the Town Clerk in five (5) conspicuous public places in the town as soon as practicable after the adjournment. Said notices shall state briefly the business to be acted on at such meeting, and shall include notice of any proposed reconsideration. Notice of a Special Meeting, the Warrant for which calls for expenditure of money, shall be sent by post card to all tax payers.

Section 3.—Whenever the Warrant for any town meeting contains an article to appropriate or expend money, create a debt, or dispose of any Town property, the Selectmen shall, six (6) days at least before the day named in said warrant for holding said town meeting, send a copy of the Warrant containing such article to the Advisory Committee, who shall consider the same and report thereon with their recommendations to the town meeting.

OFFICE OF THE TOWN CLERK
TOWN OF SOUTHBOROUGH, MASS.

COMMONWEALTH OF MASSACHUSETTS.

Worcester, SS. Town of Southborough.

I, CHARLES H. NEWTON, Town Clerk of Southborough, hereby certify, as appears by the records of said Town, that at a meeting legally called and held in said Southborough, on Saturday, February 7, 1914.—

There appeared the following article in the Warrant for said meeting:

“Article 3.—To see if the Town will accept and adopt the Set of By-Laws recommended by the Special Committee, or pass any vote respecting By-Laws.”

and that at said meeting the following vote was passed:

“Article 3.—Voted, to accept and adopt the set of By-Laws recommended by the Special Committee, as amended by the Town in this Meeting.”

A true abstract from the records of the Town of Southborough. WITNESS my hand and the seal of the said Town of Southborough on the twelfth day of February, 1914.

CHARLES H. NEWTON,

Town Clerk.

